

REMARKS

Claims 29-48 are pending. Claims 29, 31-33, 38-39, 41, and 43-48 have been amended. This submission accompanies an RCE.

The Examiner's courtesy in conducting a telephone interview with applicants' representative is acknowledged with appreciation. Discussed were independent claims 29, 41, and 45, and dependent claims 43-44 and 46-47 and the cited reference to Durcan et al. The Examiner indicated that claims 43 and 46 as previously presented contained allowable subject matter.

Claims 29-48 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. No. 6,750,069 to Durcan et al. Applicants respectfully request reconsideration of the rejection.

Claim 29 recites a magnetic random access memory (MRAM) cell comprising, *inter alia*, a "second magnetic layer comprising a plurality of films, and a chemical mechanical polishing stop."

Durcan et al. discloses an MRAM cell in which the second magnetic layer includes a nickel-iron layer 81 and a tantalum layer 83. Durcan et al. does not teach an MRAM cell with a "second magnetic layer comprising a plurality of films, and a chemical mechanical polishing stop." Claim 29 is not anticipated by Durcan et al. Claims 30-40 and 42-44 depend directly or indirectly from claim 29, and are patentable over Durcan et al. for at least the same reasons.

Claim 41 recites a memory circuit comprising a plurality of memory cells, each cell having, *inter alia*, a “second magnetic layer comprising a second plurality of films, including a free ferromagnetic layer, a tantalum layer, and a chemical mechanical polishing stop.”

Durcan et al. discloses a circuit having a plurality of memory cells which in each the second magnetic layer includes a nickel-iron layer 81 and a tantalum layer 83. Durcan et al. does not teach a memory circuit that includes a “second magnetic layer comprising a second plurality of films, including a free ferromagnetic layer, a tantalum layer, and a chemical mechanical polishing stop.” Claim 41 is not anticipated by Durcan et al.

Claim 45 recites an MRAM cell that comprises, *inter alia*, “a second magnetic layer comprising a second plurality of films including a ferromagnetic material adjacent said nonmagnetic tunnel barrier layer, a tantalum film adjacent said ferromagnetic material,” and “a chemical mechanical polishing stop arranged to protect said second magnetic layer.”

Durcan et al. discloses an MRAM cell with a second magnetic layer that includes a nickel-iron layer 81 and a tantalum layer 83. Durcan et al. does not go on to teach, for example, “a chemical mechanical polishing stop arranged to protect said second magnetic layer.” Claim 45 is not anticipated by Durcan et al. Claims 46-48 depend directly from claim 45 and are patentable over Durcan et al. for at least the same reasons.

In view of the above amendment and remarks, applicants believe the pending application is in condition for allowance.

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Respectfully submitted,

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